

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**ROGER W. VARNER, JR.,**

**Plaintiff,**

**VS.**

**NISSAN MOTOR ACCEPTANCE  
COMPANY LLC and EXPERIAN  
INFORMATION SOLUTIONS, INC.,**

## Defendants.

**CIVIL ACTION NO. 22-00208-KD-N**

## ORDER

Previously, the Court granted Defendant Nissan Motor Acceptance Company LLC's Motion to Compel Arbitration (doc. 28). The action was stayed as to Roger W. Varner, Jr.'s claims against Nissan but proceeded against Defendant Experian Information Solutions, Inc. (doc. 38, modified Rule 16(b) Scheduling Order).

This action is now before the Court on the Joint Motion for Dismissal with Prejudice of all claims against Experian (doc. 40). Varner and Experian report that the claims against Experian have been resolved through settlement. They move pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, which provides for dismissal at the plaintiff's request "by court order, on terms that the court considers proper." Fed. R. Civ. P. 41(a)(2).

Upon consideration, the Joint Motion (doc. 40) is **GRANTED**. Accordingly, **Experian** is **dismissed with prejudice**, with each party to bear its own attorney's fees and costs. The **STAY** remains as to Varner's claims against Nissan.

**DONE** and **ORDERED** this 16th day of February 2023.

**s / Kristi K. DuBose**  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**